

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

COBBLESTONE HOTELS, LLC,

Plaintiff,

Case No. 24-cv-774

v.

PLATTEVILLE LODGING WI, LLC,
and PARTH PATEL,

Defendants.

ORDER FOR PERMANENT INJUNCTION

Plaintiff filed this action on October 31, 2024 asserting claims for Breach of Contract; Trademark Infringement under Section 32(a) of the Lanham Act, 15 U.S.C. § 1114(a); Trademark Infringement, False Designation of Origin, and Unfair Competition under Section 43(a) of the Lanham Act, 15 U.S.C. 1125(a); and Common Law Trademark Infringement, Unfair Competition, and Misappropriation arising from the termination of a franchise agreement between Plaintiff and Defendants. (Dkt. 1.) Defendant Parth Patel was properly served with the Summons and Complaint on November 17, 2024, (Dkt. Nos. 8, 9) but has failed to appear, plead, or otherwise respond to the Complaint as required by Fed. R. Civ. P. 12(a)(1). Default was entered against Patel on December 13, 2024 (Dkt. 13), and counsel for Plaintiff moved for entry of default judgment, including a permanent injunction, on February 3, 2025 (Dkt. 14.) The Court held a hearing on Defendants' Motion for Entry of Default Judgment on March 18, 2025.

Patel was obligated to stop using the Cobblestone Inn & Suites trademarks and federally registered logo mark including the words Cobblestone Inn & Suites and design elements (U.S. Reg. No. 3,412,423) (collectively, the "Cobblestone Marks"), upon the termination of the franchise

agreement between Plaintiff and Defendant Platteville Lodging WI, LLC, for which Patel was a personal guarantor that assumed every obligation under the agreement. Patel, however, has refused to do so. Two signs bearing the Cobblestone Marks remain visible at the premises located at 1755 E. Highway 151 Platteville, WI 53818 (“the Premises”), and other uses of the Cobblestone Marks, such as a Facebook page, also continue despite Plaintiff’s repeated demands that the signs be removed and all use of the Cobblestone Marks cease.

Based upon the record, the Court finds that Plaintiff is entitled to an injunction against Defendant Patel in light of Patel’s ongoing infringement of Plaintiff’s trademarks, including but not limited to the refusal to remove the two exterior signs bearing the Cobblestone Marks from the Premises. The Court further finds that Plaintiff is entitled to enter the Premises to ascertain whether signs or other materials are located in the interior of the Premises that bear the Cobblestone Marks.

Patel’s refusal to cooperate with Plaintiff and his refusal to cease use of the Cobblestone Marks has caused and continues to cause irreparable harm to Plaintiff.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. Parth Patel and his employees, agents, partners, affiliates, and all persons in active concert or participation with him are hereby permanently enjoined from and restrained from, directly or indirectly, by use of any means or instrumentalities:

- a. Using the Cobblestone Marks, any confusingly similar variation of those marks, and any other marks or names that are confusingly similar to Cobblestone’s Marks, including, but not limited to, those used as or as part of trademarks, logos, trade names, business names, domain names, e-mail addresses, URLs, metatags, or other identifiers; and
- b. Representing by any means whatsoever, directly or indirectly, that Platteville

Lodging, that any products or services offered by Defendants, or any activities undertaken by Defendants, are associated or connected in any way with Cobblestone;

2. **WITHIN TEN DAYS OF THE ENTRY OF THIS PERMANENT INJUNCTION, PATEL MUST:**

- a. Remove and destroy or offer up for destruction all signs, posters, displays, brochures, catalogs, newsletters, manuals, forms, stationery, clothing, videos, websites, advertising and promotional materials and items, and any other materials and things bearing the Cobblestone Marks or any other marks that are confusingly similar to the Cobblestone Marks. **As a part of this requirement, Patel must remove the two exterior signs identifying the building located at 1755 E. Highway 151 Platteville, WI 53818 as a “Cobblestone Inn and Suites”;**
- b. Delete and ensure the removal of the Facebook page for the Cobblestone Hotel to have been operated at 1755 E. Highway 151 Platteville, WI 53818, found at <https://www.facebook.com/share/18xTRhyW6D/?mibextid=wwXIfr>, in addition to any other social media or online presence for the unopened hotel location; and
- c. Contact the Platteville Chamber of Commerce and request that the “Cobblestone Inn and Suites” website page be removed, found at <https://plattevillechamber.chambermaster.com/list/member/cobblestone-inn-suites-160> and elsewhere;

3. Cobblestone, its attorneys, and its authorized representatives are hereby authorized and permitted to enter Patel’s property located at the Premises upon 5 days’ written notice to Patel to inspect and determine whether all internal and

external Cobblestone-branded signage and materials have been removed as required by this Order, **and Patel must allow access to the Premises by those persons for the purposes of said inspection;**

4. Defendants must file with this Court and serve on Plaintiff within fifteen days of the entry of this injunction a report in writing and under oath setting forth in detail the manner and form in which it has complied with this injunction.

Entered MARCH 26, 2025.

BY THE COURT:

A handwritten signature in black ink, appearing to read "James D. Peterson", is written over a horizontal line.

JAMES D. PETERSON
District Judge